# EXHIBIT F

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| 10/613,104 | 07/07/2003 | Feihong Chen | 29250-001017/US | 4241 |

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HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 8910
Reston, VA 20195

| EXAMINER |
|---|
| RUSSELL, WANDA Z |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2616 | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/613,104 | CHEN ET AL. |
| | Examiner | Art Unit | |
| | Wanda Z. Russell | 2616 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *06 August 2007*.

2a)☒ This action is **FINAL**.          2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-56* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-56* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All  b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.      **Claims 1-56** are rejected under 35 U.S.C. 102(e) as being anticipated by John

Ling Wing So (Pub No. US  2002/0109879 A1).

        It is noted, with respect to claim 1, that the language used by applicants merely

suggests or makes optional those features described as "operable to"; such language

does not require steps to be performed nor limits the claim to a particular structure.

        The manner of operating the device does not differentiate apparatus claim from

the prior art. See MPEP 2114.

        Regarding **claim 1**, Wing So discloses a network device (system, Abstract, line

1) operable to:

        generate and send (setup, [0194], line 4) a backward (reverse, [0194], line 4)

path request message ([0194], line 4) to a source of a separately generated, initial

forward path request message associated with a forward Label Switched Path (LSP)

([0365], line 7) between the device and the source; and

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receive ([0194], line 3) a backward path reservation message (setup request,

[0194], line 3) from the source in order to establish a backward LSP between the device

and the source, wherein the separately established forward and backward LSPs form a

bi-directional LSP between the device and the source ([0488], line 3, and [0572], lines

1-3, and 1-9).

Regarding **claim 2**, Wing So discloses the device as in claim 1 further operable

to generate and send an initial, forward path reservation message to the source in order

to establish the forward LSP after receiving the initial forward path request message

([0374], lines 4-6, and [0482], lines 1-3).

Regarding **claim 3**, Wing So discloses the device as in claim 1 further operable

to generate and send a backward path reservation message ([0194], line 4) to a

destination after receiving a backward path request message from the destination in

order to establish a backward LSP between the device and the destination ([0488], lines

1-5).

Regarding **claim 4**, Wing So discloses the device in claim 3 further operable to

separately generate and send a forward path request message to the destination in

order to establish a forward LSP between the device and the destination, wherein the

separately established forward and backward LSPs between the device and the

destination form a bi-directional LSP between the device and the destination ([0488],

lines 1-5, and [0194], lines 1-9).

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Regarding **claim 5**, Wing So discloses the device as in claim 1 wherein the

forward and backward LSPs between the device and source comprise the same path

([0488], lines 1-5, and [0194], lines 1-9).

Regarding **claim 6**, Wing So discloses the device as in claim 4 wherein the

forward and backward LSPs between the device and destination comprise the same

path ([0488], lines 1-5, and [0194], lines 1-9).

Regarding **claim 7**, Wing So discloses the device as in claim 1 further operable

to generate the backward path request message ([0264]) based on backward path

parameters contained in the initial forward path request message ([0194], lines 1-5).

Regarding **claim 8**, Wing So discloses the device as in claim 7 further operable

to generate the backward path request message based on routing information

contained within the parameters ([0258], [0261], and [0262]).

Regarding **claim 9**, Wing So discloses the device as in claim 7 further operable

to query a local database to obtain routing information in order to generate the

backward path request message when routing information is not contained within the

parameters ([0557], last 4 lines).

Regarding **claim 10**, Wing So discloses the device as in claim 7 further operable

to generate the backward path request message based on a quality-of-service (QoS)

([0297], 4th line from the end) indicator contained within the parameters.

Regarding **claim 11**, Wing So discloses the device as in claim 7 further operable

to generate the backward path request message based on best effort ([0149], last line)

routing information when a QoS indicator is not contained within the parameters.

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Regarding **claim 12**, Wing So discloses the device as in claim 7 wherein the

traffic parameters comprise parameters selected from the group consisting of a bi-

directional LSP indicator, QoS indicator and routing information ([0297], lines 1-4).

Regarding **claim 13**, Wing So discloses the device as in claim 1 further operable

to request backward traffic parameters from the source when the initial path request

message does not contain such parameters ([0230], and [0231]).

Regarding **claim 14**, Wing So discloses the device as in claim 1 further operable

to generate and send a first delete path message to the source and to receive a second

delete path message from the source in order to delete the bi-directional LSP ([0615],

line 1, and [0568], lines 1-4).

Regarding **claim 15**, Wing So discloses the device as in claim 14 further

operable to send the first delete path message to the source before receiving the

second delete path message from the source ([0615], line 1, [0570], lines 1-2, and

[0572], lines 1-end).

Regarding **claim 16**, Wing So discloses the device as in claim 14 further

operable to send the first delete path message to the source after receiving the second

delete path message from the source ([0615], line 1, [0570], lines 1-2, and [0572], lines

1-end).

Regarding **claim 17**, Wing So discloses a network device (system, Abstract, line

1) operable to generate and send (setup, [0194], line 4) a backward (reverse, [0194],

line 4) path reservation message (setup request, [0194], line 3) to a destination after

receiving a backward path request message from the destination in order to establish a

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backward LSP between the device and the destination ([0488], line 3, and [0572] , lines

1-3, and 1-9).

Regarding **claim 18**, Wing So discloses the device as in claim 17 further

operable to separately generate and send a forward path request message to the

destination in order to establish a forward LSP between the device and the destination,

wherein the separately established forward and backward LSPs between the device

and the destination form a bi-directional LSP between the device and the destination

([0488], lines 1-5, and [0194], lines 1-9).

Regarding **claim 19**, Wing So discloses the device as in claim 18 wherein the

forward and backward LSPs between the device and destination comprise the same

path ([0488], lines 1-5, and [0194], lines 1-9).

Regarding **claim 20**, Wing So discloses the device as in claim 17 further

operable to generate and send a first delete path message to the destination and to

receive a second delete path message from the destination in order to delete the bi-

directional LSP ([0615], line 1, and [0568], lines 1-4).

Regarding **claim 21**, Wing So discloses the device as in claim 20 further

operable to send the first delete path message to the destination before receiving the

second delete path message from the destination ([0615], line 1, [0570], lines 1-2, and

[0572], lines 1-end).

Regarding **claim 22**, Wing So discloses the as in claim 20 further operable to

send the first delete path message to the destination after receiving the second delete

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path message from the destination ([0615], line 1, [0570], lines 1-2, and [0572], lines 1-end).

Regarding **claims 23-44**, they are method (Abstract, line 1) claims of claims 1-22, therefore they are rejected for the same reason above.

Regarding **claims 45-56**, they are means ([0065], line 5) claims of claims 1-22, therefore they are rejected for the same reason above.

### *Response to Amendment*

3.      Applicant's amendment filed August 06, 2007 has been received and considered.

### *Response to Arguments*

4.      Applicant's arguments filed August 06, 2007 have been fully considered but they are not persuasive.

Applicant argues that So does not disclose the establishment of LSPs.

In response, the Examiner respectfully disagrees. So discloses bi-directional LSPs and the process of establishing them. See [0488], [0561], [0562], [0563], [0564], [0565], [0568], [0570], [0572], [0574], [0578], especially [0572]. In [0572], So teaches "the process of establishing a bi-directional follows the establishment of a unidirectional LSP with some additions.  To support bi-directional LSPs an Upstream Label is added to the Path/REQUEST message. The Upstream Label MUST indicate a label that is valid for forwarding at the time the Path/REQUEST message is sent.  When a Path/REQUEST message containing an Upstream Label is received, the receiver first verifies that the upstream label is acceptable" (lines 1-9), and more in the paragraphs mentioned above.

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### *Conclusion*

5.     **THIS ACTION IS MADE FINAL.**  Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action.  In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action.  In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

6.     Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Wanda Z. Russell whose telephone number is (571)

270-1796.  The examiner can normally be reached on Monday-Thursday 9:00-6:00

EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Seema Rao can be reached on (571) 272-3174.  The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system.  Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.
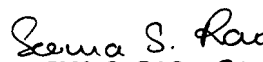
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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


WZR

SEEMA S. RAO   9/11/07
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600